

*Amendment  
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*Application No: 09/925,562  
Filed: August 9, 2001*

### REMARKS

This communication is in response to the Restriction Requirement mailed July 27, 2004, wherein Applicant was required to elect from thirteen identified species, a single species for continued prosecution.

Applicant provisionally elects species M, corresponding to FIG. 10F. Applicants assert that all of the pending claims 34-36, 39-43, 47 and 49-62 read on the elected species.

Applicant traverses the above election however, on the grounds that the election serves no purpose and is inappropriate at this point in the prosecution of the instant Application.

As indicated from the extensive prosecution history of the instant Application, the Examiner has presumably searched the pertinent art relevant to any *and all* of the identified species at least once, and more likely multiple times (See Office Actions dated November 8, 2002; April 3, 2003; November 17, 2003; and March 31, 2004). As all of the species have been presumably searched and fully reviewed on a repeated basis it is unclear what efficiency or benefit is gained by the Applicant, the Examiner or the public by now limiting the scope of the instant Application to only a single species. No burden is being placed on the Examiner to continue applying the same scope of review that has been repeatedly applied in the Instant Application throughout its prosecution, and as such Applicant respectfully requests reconsideration of the restriction requirement.

Respectfully submitted,

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Date: 9/8/04

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